

REMARKS

As a matter of review, Claims 9 - 15, 27 - 41, and 43 are withdrawn from consideration. Applicants have elected with traverse to prosecute the Claims of Group I (i.e.; Claims 1 - 8, 16 - 26, and 42). Page 5 of the Office Action indicates that Claims 8 and 26 are objected to but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims.

35 U.S.C. §102 Rejections

Claims 1 - 4, 6, 24, and 42 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 3,029,852 issued to Taylor (hereinafter "Taylor") for the reasons of record stated on pages 2 and 3 of the Office Action. Applicants respectfully traverse this rejection.

Taylor teaches a bag, container, or receptacle for holding articles comprising a generally rectangular sheet having a series of pockets of narrower width disposed lengthwise centrally thereof so that the sides of the sheet can be folded over the pockets and the "*ends of the device can be brought together to form a compact package for transportation or storage*". [See Taylor column 1, lines 54 - 65] This is also illustrated in Figures 1 - 2 of Taylor.

Claims 1 - 4, 6, 24, and 42 of the instance invention all require *inter alia* that the flexible wrap container include at least one strap and a first fastening device attached to the strap for securing the wrap container in a roll-like shape. Unlike Applicants' present invention, Taylor does not teach or suggest either expressly or inherently a flexible wrap container which includes at least one strap and a first fastening device attached to the strap for securing the wrap container in a roll-like shape. Hence, Claims 1 - 4, 6, 24, and 42 are not anticipated by Taylor. Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Claims 20 - 23 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 4,662,517 issued to Wirth (hereinafter "Wirth") for the reasons of record stated on page 3 of the Office Action. Applicants traverse this rejection as it applies to Claims 20 and 23. Claims 21 and 22 are cancelled herewith without prejudice. Hence, the rejection of these claims is now moot. Claim 20 has been amended to more particularly define Applicants' invention. Claim 20 as amended requires *inter alia* that each fence comprise a plurality of loops attached to the flexible panel and that the loops of each fence be formed into a plurality of rows.

Wirth teaches a rappel rope deployment bag having side margins wherein each side margin consists of a single elongated flexible strip member secured to the side margin wherein the strip members define attaching loops spaced along side margins. [See Wirth, column 3, lines 1 - 9 and Figures 2 and 3].

Wirth does not teach or suggest either inherently or expressly a fence comprising a plurality of loops attached to a flexible side panel wherein the loops on each fence are formed into a plurality

of rows. Hence, as Claim 20 and 23 are not anticipated by Wirth, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Claims 1 - 5, 24, and 42 stand rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. 6,223,367 issued to French et al. (hereinafter "French") for the reasons of record stated on pages 3 and 4 of the Office Action.

Applicants respectfully traverse this rejection. French teaches a stadium blanket and a separate storage bag for the stadium blanket. Though they may be connected to one another, the storage bag and stadium blanket of French are two separate components. [See French, column 2, lines 31 - 65. Also see Figures 1 - 8].

Applicants invention is comprised of a flexible wrap container. French does not teach or suggest either expressly or inherently Applicants' flexible wrap container. Hence, as Claims 1 - 5, 24, and 42 are not anticipated by French, Applicants respectfully request that this rejection be reconsidered and withdrawn.

35 U.S.C. §103 Rejections

Claims 7 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Taylor or French for the reasons of record stated at page 4 of the Office Action. The Office Action indicates that Taylor and French "*each disclose the claimed invention except for the flexible panel being constructed from a material selected from the group consisting of woven polyester, woven nylon, or a combination thereof.*" The Office Action further indicates that "*it would have been obvious to one of ordinary skill... to use material selected from the group consisting of woven polyester, woven nylon, or a combination thereof to construct the flexible panel of Taylor or French.*"

Applicants respectfully traverse this rejection for the reasons indicated above. Additionally, Applicants traverse this rejection on the basis that in order to support an obviousness rejection, "the initial burden is on the Examiner to provide some suggestion of the desirability of doing what the inventor has done. Neither Taylor nor French provide this. Hence, as Claims 7 and 25 are unobvious in view of Taylor or French, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 16 - 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DE 2,547,588 issued to Geysel (hereinafter "Geysel") for the reasons of record stated at pages 4 and 5 of the Office Action.

Applicants respectfully traverse this rejection. Geysel relates to a laundry transport bag for "*self-emptying*" in a drum-type washing machine. [See Claim 1 of Geysel]. The Office Action indicates that "*it would have been obvious to one having ordinary skill ... to provide the strap of Geysel with a fastening device...*". Applicants respectfully disagree, as Geysel teaches away from the present invention in that Geysel requires a laundry transport bag to *self* open up and empty in the washing machine. This is the opposite of the present invention. Hence, Claims 16 - 18 of the

instant are unobvious over Geysel. Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 16 - 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over MacCormack et al. (hereinafter "MacCormack") for the reasons of record stated at page 5 of the Office Action. Applicants respectfully traverse this rejection. MacCormack does not teach or suggest a fastening device. In order to support an obviousness rejection, "the initial burden is on the Examiner to provide some suggestion of the desirability of doing what the inventor has done". There is no such teaching in MacCormack. Hence, Claims 16 - 19 are unobvious in view of MacCormack. Applicants respectfully request that this rejection be reconsidered and withdrawn.

SUMMARY

As the rejections have been overcome, Applicants respectfully request that the rejections be reconsidered and withdrawn and the Claims of this application allowed.

Respectfully submitted,
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